CUMBERLAND	_ County			eral Court Of Justice Superior Court Division
lame Of Plainliff ERMAINE THOMPSON				
ddress /o Ricci Law Firm, P.A., P.O. Box 48	83	MAJIASAN	CIVIL SUM	MONS IMONS (ASSESS FEE)
ity, Stale, Zip Greenville, NC 27835		ALIAS AN	D L ĽOKÍĽO GOÚ	imons (Assess Fee)
VERSU:	S	-		G.S. 1A-1, Rules 3 and
Name Of Defendant(s)		Date Original Summons	Issued	
EREMY JAY DELKANIC and WES	TERN EXPRESS, INC.	Date(s) Subsequent Sun 12/22/2020	09/29/202 nmons(es) Issued	
To Each Of The Defendant(s) Name	ed Below:			
lame And Address Of Delendant 1		Name And Address Of D	*** *** * ***	
eremy Jay Delkanic		Western Express, 1		
46 Main Street			ent Roland M. Low	ell
Noxen, PA 28636-7746		7035 Centennial P		
		Nashville, TN 37209-1033		
You are notified to appear and answer 1. Serve a copy of your written answ served. You may serve your answ 2. File the original of the written answ	or the complaint of the plaintiful yer to the complaint upon the yer by delivering a copy to the wer with the Clerk of Superio	plaintiff or plaintiff's at e plaintiff or by mailing or Court of the county n	it to the plaintiff's la named above.	st known address, and
 File the original of the written answ If you fail to answer the complaint, the Jame And Address Of Plaintiff's Attorney (if none) 	or the complaint of the plaintiful yer to the complaint upon the yer by delivering a copy to the wer with the Clerk of Superion of plaintiff will apply to the Con	plaintiff or plaintiff's at e plaintiff or by mailing or Court of the county n	it to the plaintiff's la named above. ded in the complain	st known address, and it.
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You are notified to appear and answer 1. Serve a copy of your written answ served. You may serve your answ 2. File the original of the written answ If you fail to answer the complaint, the lame And Address Of Plaintiff's Attorney (if none. Meredith S. Hinton Ricci Law Firm, P.A.	or the complaint of the plaintiful yer to the complaint upon the yer by delivering a copy to the wer with the Clerk of Superion of plaintiff will apply to the Con	e plaintiff or plaintiff's at e plaintiff or by mailing or Court of the county n urt for the relief deman	it to the plaintiff's la named above. ded in the complain	st known address, and it.
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You are notified to appear and answer 1. Serve a copy of your written answ served. You may serve your answ 2. File the original of the written answ if you fail to answer the complaint, the ame And Address Of Plaintiff's Attorney (if none Meredith S. Hinton Ricci Law Firm, P.A. 2.O. Box 483	or the complaint of the plaintiful yer to the complaint upon the yer by delivering a copy to the wer with the Clerk of Superion of plaintiff will apply to the Con	plaintiff or plaintiff's at e plaintiff or by mailing or Court of the county nurt for the relief deman	it to the plaintiff's la named above. ded in the complain Time Assistant CSC	st known address, and it. S
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You are notified to appear and answer 1. Serve a copy of your written answ served. You may serve your answ 2. File the original of the written answ If you fail to answer the complaint, the lame And Address Of Plaintiff's Attorney (if none). Meredith S. Hinton	or the complaint of the plaintification the complaint upon the ver to the complaint upon the ver by delivering a copy to the wer with the Clerk of Superior plaintiff will apply to the Complaintiff will apply to the Complaintiff) ed on the date indicated the request of the plaintiff,	plaintiff or plaintiff's at e plaintiff or by mailing or Court of the county nurt for the relief deman	it to the plaintiff's la named above. ded in the complain Time Assistant CSC	st known address, and it. S

AOC-CV-100, Rev. 6/16

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			RE	TURN C	F SERVICE
I certify that this Summons and a copy of the complaint were received and served as follows:					
DEFENDANT 1					
Dale S	erved	Time Served	MA	□РМ	Name Of Defendant
	By delivering to the defend	lant named above a	copy of	the summ	ions and complaint.
	By leaving a copy of the superson of suitable age and				house or usual place of abode of the defendant named above with a
	As the defendant is a corposelow.	oration, service was	effected	by delive	ring a copy of the summons and complaint to the person named
	Name And Address Of Person W	fith Whom Copies Left (if	corporation	, give title of	person copies left.with)
ļ		•			e V
	Other manner of service (s	pecîfy)			
	,	.2			
	Defendant WAS NOT serv	ed for the following	reason:		
	·	and the second of the second o		DEEEN	IDANT 2
Date S	erved	Time Served			Name Of Defendant
			АМ	L PM	
	By delivering to the defend				
, F	person of suitable age and	discretion then res	iding the	rein.	house or usual place of abode of the defendant named above with a
	pelow.				ering a copy of the summons and complaint to the person named
	Name And Address Of Person W	Ath Whom Copies Left (if	corporation	, give title o	person copies lett with).
Other manner of service (specify)					
	Defendant WAS NOT serv	ed for the following	reason:		
	,				
Service	e Fee Paid				Signature Of Deputy Sheriff Making Return
\$					
Date R	Received				Name Of Sheriff (type or print)
Date C	Of Return	······		· · · · · · · · · · · · · · · · · · ·	County Of Sheriff
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CUMBERLAND County			
COMBERLAND County	In The General Court Of Justice ☐ District ⊠ Superior Court Division		
Name Of Plaintiff JERMAINE THOMPSON Address			
c/o Ricci Law Firm, P.A., P.O. Box 483	CIVIL SUMMONS ALIAS AND PLURIES SUMMONS (ASSESS FEE)		
City, State, Zip			
Greenville, NC 27835 VERSUS			
Name Of Defendant(s)	G.S. 1A-1, Rules 3 and 4 Date Original Summons Issued		
JEREMY JAY DELKANIC and WESTERN EXPRESS, INC.	09/29/2020 Date(s) Subsequent Summons(es) Issued		
To Each Of The Defendant(s) Named Below:			
Name And Address Of Defendant 1	Name And Address Of Defendant 2		
Jeremy Jay Delkanic 146 Main Street	Western Express, Inc.		
Noxen, PA 28636-7746	c/o Registered Agent Roland M. Lowell 7035 Centennial Place		
	Nashville, TN 37209-1033		
served. You may serve your answer by delivering a copy to the	plaintiff or plaintiff's attorney within thirty (30) days after you have been a plaintiff or by mailing it to the plaintiff's last known address, and		
You are notified to appear and answer the complaint of the plaintiff 1. Serve a copy of your written answer to the complaint upon the served. You may serve your answer by delivering a copy to the 2. File the original of the written answer with the Clerk of Superior If you fail to answer the complaint, the plaintiff will apply to the County Indian And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff) Meredith S. Hinton Ricci Law Firm, P.A. P.O. Box 483	plaintiff or plaintiff's attorney within thirty (30) days after you have been a plaintiff or by mailing it to the plaintiff's last known address, and or Court of the county named above.		
 You are notified to appear and answer the complaint of the plaintif Serve a copy of your written answer to the complaint upon the served. You may serve your answer by delivering a copy to the File the original of the written answer with the Clerk of Superior 	plaintiff or plaintiff's attorney within thirty (30) days after you have been a plaintiff or by mailing it to the plaintiff's last known address, and or Court of the county named above. Further the relief demanded in the complaint. Date Issued Time 2.5 AM PM PM Signature AM PM PM Signature Am PM PM PM PM PM PM PM P		
You are notified to appear and answer the complaint of the plaintif 1. Serve a copy of your written answer to the complaint upon the served. You may serve your answer by delivering a copy to the 2. File the original of the written answer with the Clerk of Superio If you fail to answer the complaint, the plaintiff will apply to the County of the And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff) Meredith S. Hinton Ricci Law Firm, P.A. P.O. Box 483 Greenville, NC 27835	plaintiff or plaintiff's attorney within thirty (30) days after you have been a plaintiff or by mailing it to the plaintiff's last known address, and or Court of the county named above. Just for the relief demanded in the complaint. Date Issued Time 2.5 Deputy CSC Assistant CSC Clerk Of Superior Court Date Of Endorsement Time AM PM		
You are notified to appear and answer the complaint of the plaintif 1. Serve a copy of your written answer to the complaint upon the served. You may serve your answer by delivering a copy to the 2. File the original of the written answer with the Clerk of Superior If you fail to answer the complaint, the plaintiff will apply to the Continue and Address Of Plaintiff's Attorney (if none, Address Of Plaintiff) Meredith S. Hinton Ricci Law Firm, P.A. P.O. Box 483 Greenville, NC 27835	plaintiff or plaintiff's attorney within thirty (30) days after you have been a plaintiff or by mailing it to the plaintiff's last known address, and or Court of the county named above. Just for the relief demanded in the complaint. Date Issued Time 2.5 AM PM		

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		RETURN	OF SERVICE	
I certify that this Summons and a copy of the complaint were received and served as follows:				
DEFENDANT 1				
Date Served	Time Served	AM PM	Name Of Defendant	
☐ By delivering to the defend	lant named above	a copy of the sum	nons and complaint.	
By leaving a copy of the si person of suitable age and	ımmons and comp I discretion then re	laint at the dwellin siding therein.	g house or usual pla	ce of abode of the defendant named above with a
As the defendant is a corp below.	oration, service wa	s effected by deliv	ering a copy of the s	summons and complaint to the person named
Name And Address Of Person V	vith Whom Copies Left (i	f corporation, give title o	of person copies left with)	
Other manner of service (s	pecify)			- I was the state of the state
·				
				, i
Defendent MAC MOT				
☐ Defendant WAS NOT serv	ed for the following	reason:		
		DEFE	NDANT 2	
Date Served	Time Served	AM PM	Name Of Defendant	
By delivering to the defend	lant named above	s conv of the sum	none and complaint	<u></u>
By leaving a copy of the su	ummons and compl	laint at the dwelling	•	ce of abode of the defendant named above with a
person of suitable age and	discretion then res	siding therein.		
As the defendant is a corporate below.	oration, service wa	s effected by deliv	ering a copy of the s	ummons and complaint to the person named
Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)				
Other manner of service (specify)				
Defendant WAS NOT served for the following reason:				
		2.		
Service Fee Paid	*		Signature Of Deputy Shi	eriff Making Return
Date Received			Name Of Sheriff (type or	r print)
Date Of Return				
Date Of Return			County Of Sheriff	
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STATE OF NORTH CAROLINA	* 20 CVS 5277			
CUMBERLAND County	In The General Court Of Justice ☐ District ☑ Superior Court Division			
Name Of Piaintiff JERMAINE THOMPSON				
Address	CIVIL SUMMONS			
c/o Ricci Law Firm, P.A., P.O. Box 483	ALIAS AND PLURIES SUMMONS (ASSESS FEE)			
City, State, Zip Greenville, NC 27835	The state of the s			
VERSUS	G.S. 1A-1, Rules 3 and 4			
Name Of Defendant(s)	Date Original Summons Issued			
JEREMY JAY DELKANIC and WESTERN EXPRESS, INC.	Date(s) Subsequent Summons(es) Issued			
	Data(a) Gubsaquein Guitimonales) tosseu			
To Each Of The Defendant(s) Named Below:				
Name And Address Of Defendant 1 Jeremy Jay Delkanic	Name And Address Of Defendant 2 Western Express, Inc.			
146 Main Street	c/o Registered Agent Roland M. Lowell			
Noxen, PA 28636-7746	7035 Centennial Place			
	Nashville, TN 37209-1033			
A Civil Action Has Been Commenced Against You!				
You are notified to appear and answer the complaint of the plaintiff	as follows:			
	plaintiff or plaintiff's attorney within thirty (30) days after you have been plaintiff or by mailing it to the plaintiff's last known address, and			
2. File the original of the written answer with the Clerk of Superior	Court of the county named above.			
If you fail to answer the complaint, the plaintiff will apply to the Cou	irt for the relief demanded in the complaint.			
Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)	Date Issued / Time			
Meredith S. Hinton	9/29/2020 10:23 DAM DPM			
Ricci Law Firm, P.A.	Signature Signature			
P.O. Box 483	Cychy (Sold)			
Greenville, NC 27835	Deputy CSC Assistant CSC. Clerk Of Superior Court			
☐ ENDORSEMENT (ASSESS FEE)	Date Of Endorsement Time AM PM			
This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff,	Signature			
the time within which this Summons must be served is extended sixty (60) days.	Deputy CSC Assistant CSC Clerk Of Superior Court			
	N programs in which most cases where the amount in controversy is \$25,000 or parties will be notified if this case is assigned for mandatory arbitration, and, if			
	(Over)			
AOC-CV-100, Rev. 6/16 © 2016 Administrative Office of the Courts	1.5.5.7			

	RE'	TURN O	F SERVICE	
I certify that this Summons and a copy of the complaint were received and served as follows:				
DEFENDANT 1				
Date Served Time Ser	vedAM	□РМ	Name Of Defendant	
By delivering to the defendant nan	ned above a copy of t	he summ	ons and complaint.	
By leaving a copy of the summons person of suitable age and discret			house or usual place	e of abode of the defendant named above with a
As the defendant is a corporation, below.	service was effected	by delive	ring a copy of the su	mmons and complaint to the person named
Name And Address Of Person With Whom	Copies Left (if corporation,	give title of	person copies left with)	,
Other manner of service (specify)				
		· · · · · · · · · · · · · · · · · · ·		
☐ Defendant WAS NOT served for the	ne following reason:			
		<u> </u>		
		DEFEN	DANT 2	
Date Served Time Se	AM	□ P.M	Name Of Defendant	
By delivering to the defendant nar	ned above a copy of t	he summ	ons and complaint.	Account to the contract of the
By leaving a copy of the summons person of suitable age and discret	and complaint at the ion then residing then	dwelling ein	house or usual plac	e of abode of the defendant named above with a
As the defendant is a corporation, below.	service was effected	by delive	ring a copy of the su	immons and complaint to the person named
Name And Address Of Person With Whom	Copies Left (if corporation,	give title of	person copies left with)	***************************************
Other manner of service (specify)				
Defendant WAS NOT served for the	ne following reason:			
Service Fee Paid \$			Signature Of Deputy She	eriff Making Return
Date Received			Name Of Sheriff (type or	print)
Date Of Return			County Of Sheriff	
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STATE OF NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
COUNTY OF CUMBERLAND A 10: 25	20 CVS <u>52.7</u> 7
JERMAINE THOMPSON, TOWN COME THE Plaintiff,	} }
V.	COMPLAINT
JEREMY JAY DELKANIC and WESTERN EXPRESS, INC.,	} } }
Defendants	}

Plaintiff, complaining of Defendants, alleges and says:

- 1. Plaintiff if a citizen and resident of Fayetteville, Cumberland County, North Carolina.
- 2. Upon information and belief, Defendant Jeremy Jay Delkanic is a citizen and resident of Noxen, Pennsylvania ("Defendant Driver").
- 3. Upon information and belief, Defendant Western Express, Inc., is a corporation authorized and existing under the laws of the State of Tennessee, with its registered office and principal place of business located at 7135 Centennial Place, Nashville, Tennessee ("Defendant Trucking").
- 4. At all relevant times herein, Defendant Trucking was a Motor Carrier, as defined by and subject to the rules and regulations of the United States Department of Transportation and the Federal Motor Carrier Safety Administration, codified in Title 49 of the Code of Federal Regulations, parts 300-399 and related parts.
- 5. At all relevant times, Defendant Driver was a professional commercial truck driver acting under the authority and control of his employer, Defendant Trucking.

- 6. At all relevant times herein, Defendant Driver was subject to the rules and regulations of the United States Department of Transportation and the Federal Motor Carrier Safety Administration, codified in Title 49 of the Code of Federal Regulations, parts 300-399 and related parts.
- 7. On or about March 6, 2020, at approximately 6:05 p.m., Plaintiff was operating a 2011 Ford motor vehicle bearing North Carolina license plate number 5M06DV and was traveling in a generally northerly direction along Interstate 95 near Godwin, North Carolina.
- 8. At the aforementioned time and place, Defendant Trucking was the owner of a 2019 International tractor/semi-trailer bearing Tennessee license plate number K3302H8 and having U. S. DOT Number 511412 ("Tractor-trailer").
- 9. At the same time, Defendant Driver was operating the Tractor-trailer owned by Defendant Trucking in the course and scope of his employment with Defendant Trucking and was traveling in a generally northerly direction along Interstate 95 near Godwin, North Carolina.
- 10. On the date, time and place aforesaid, Defendant Driver suddenly and without warning drove the loaded Tractor-trailer into the rear of Plaintiff's vehicle and caused a violent collision. As a result of the impact, Plaintiff's vehicle was pushed forward into a Tractor-trailer that was stopped for traffic, causing a second violent collision.

FIRST CLAIM FOR RELIEF (Negligence against Defendant Driver)

- 11. Plaintiff hereby adopts and re-alleges paragraphs 1-10 as though fully set forth herein.
- 12. At said time and place, it was the duty of Defendant Driver to operate, maintain, and control the Tractor-trailer in a manner so as not to negligently cause injury to persons lawfully on the public way, including Plaintiff.

- 13. Defendant Driver owed a duty of care to other drivers, including Plaintiff, and was negligent and violated that duty in that he:
 - (a) operated the Tractor-trailer at a speed too great for conditions prevailing;
 - (b) failed to keep a proper lookout;
 - (c) followed too closely;
 - (d) failed to reduce speed;
 - (e) failed to avoid a collision with the vehicle operated by Plaintiff;
 - (f) struck the vehicle occupied by Plaintiff;
 - (g) failed to slow or stop the Tractor-trailer when danger to Plaintiff was imminent;
 - (h) failed to adhere to certain rules and regulations codified in 49 CFR 300 et seq., including not having his legally required logbook, violating regulations on maximum driving time, and failing to reduce speed and exercise caution in hazardous weather conditions;
 - (i) failed to properly maintain the Tractor-trailer, including but not limited to maintaining adequate brakes;
 - operated the Tractor-trailer carelessly and heedlessly in a reckless, willful and wanton disregard for the safety of others including Plaintiff; and
 - (k) was negligent in other and further ways as the evidence will show and to be proven at trial,

all in violation of the motor vehicle laws of the State of North Carolina.

- 14. Defendant Driver was also negligent *per se* in that he violated Federal Motor Safety Carrier Regulations and state trucking safety rules, all of which govern his conduct in the operation of a commercial motor vehicle on a North Carolina highway.
- 15. Defendant Driver's negligent conduct proximately caused the collision at issue in this case.
- 16. As direct and proximate result of one or more of the foregoing acts of negligence, the Tractor-trailer operated by Defendant Driver did violently collide with the vehicle occupied by Plaintiff and as a result thereof, Plaintiff did suffer the following past, present, and future loss and damage:
 - (a) bodily injury;
 - (b) pain and suffering;
 - (c) mental suffering;
 - (d) medical expenses; and
 - (e) disability or loss of normal life.
- 17. The conduct of Defendant Driver was wanton, gross, reckless and in complete disregard for the safety and rights of others.
- 18. As a result of Defendant Driver's willful, wanton and reckless conduct, Defendant Driver is liable to Plaintiff for punitive damages.
- 19. Plaintiff seeks and is entitled to recover punitive damages in an amount in accordance with N. C. Gen. Stat. § 1D.
- 20. As a direct and proximate result of Defendant Driver's negligence, Plaintiff has been damaged in an amount in excess of the minimum jurisdictional limit of this Court.

SECOND CLAIM FOR RELIEF

(Negligence against Defendant Trucking -- Respondent Superior)

- 21. Plaintiff hereby adopts and re-alleges paragraphs 1-20 as though fully set forth herein.
- 22. At said time and place, Defendant Driver was operating the Tractor-trailer under the authority and control of his employer or contractor, Defendant Trucking.
- 23. At said time and place, Defendant Driver was operating the Tractor-trailer with the consent of Defendant Trucking.
- 24. At said time and place, Defendant Driver was operating the Tractor-trailer in the course and scope of his employment.
- 25. At said time and place, it was the duty of the Defendant Trucking, by and through his agent or employee Defendant Driver, to own, operate, maintain and control his Tractor-trailer in a manner so as not to negligently cause injury to persons lawfully on the public way, including Plaintiff.
- 26. Notwithstanding the foregoing duty, Defendant Trucking, by and through its agent or employee Defendant Driver, did own, operate, maintain, and control the Tractor-trailer in a dangerous and negligent manner in one or more of the following ways:
 - (a) operated the Tractor-trailer at a speed too great for conditions prevailing;
 - (b) failed to keep a proper lookout;
 - (c) followed too closely;
 - (d) failed to reduce speed;
 - (e) failed to avoid a collision with the vehicle operated by Plaintiff;
 - (f) struck the vehicle occupied by Plaintiff;

- (g) failed to slow or stop the Tractor-trailer when danger to Plaintiff was imminent;
- (h) failed to adhere to certain rules and regulations codified in 49 CFR 300 et seq., including not having his legally required logbook, violating regulations on maximum driving time, and failing to reduce speed and exercise caution in hazardous weather conditions;
- (i) failed to properly maintain the Tractor-trailer, including but not limited to maintaining adequate brakes;
- (j) operated the Tractor-trailer carelessly and heedlessly in a reckless, willful and wanton disregard for the safety of others including Plaintiff; and
- (k) was negligent in other and further ways as the evidence will show and to be proven at trial,

all in violation of the motor vehicle laws of the State of North Carolina.

- As direct and proximate result of one or more of the foregoing acts of negligence, the Tractor-trailer owned by the Defendant Trucking did violently collide with the vehicle occupied by Plaintiff and as a result thereof, Plaintiff did suffer the following past, present, and future loss and damage:
 - (a) bodily injury;
 - (b) pain and suffering;
 - (c) mental suffering;
 - (d) medical expenses; and
 - (e) disability or loss of normal life.

- 28. The conduct of Defendant Trucking, by and through its agent or employee Defendant Driver, was wanton, gross, reckless and in complete disregard for the safety and rights of others.
 - 29. As a result of this conduct, Defendants are liable to Plaintiff for punitive damages.
- 30. Plaintiff seeks and is entitled to recover punitive damages in an amount in accordance with N. C. Gen. Stat. § 1D.

WHEREFORE, Plaintiff prays for judgment against Defendant Trucking in an amount in excess of the minimum jurisdictional limit of this Court and costs.

THIRD CLAIM FOR RELIEF (Direct Negligence against Defendant Trucking)

- 31. Plaintiff hereby adopts and re-alleges paragraphs 1-30 as though fully set forth herein.
- 32. Defendant Trucking had the duty to act reasonably in hiring and retaining Defendant Driver to operate the Tractor-trailer.
- 33. Defendant Trucking had the duty to promulgate and enforce rules and regulations to ensure that drivers, including Defendant Driver, and vehicles, including the Tractor-trailer, were reasonably safe and in compliance with all applicable state and federal laws.
- 34. Notwithstanding the foregoing duties, Defendant Trucking, by and through its employee or agent, Defendant Driver, did breach said duties in one or more of the following ways:
 - (a) knew or should have known that Defendant Driver was unfit to operate the Tractor-trailer;
 - (b) allowed Defendant Driver to operate the Tractor-trailer while in violation of applicable federal regulations at 49 CFR 300, et seq.;

- (c) did not take appropriate action in training Defendant Driver;
- (d) did not take appropriate action in disciplining or re-training Defendant

 Driver when it knew or should have known that Defendant Driver failed to

 comply with various rules and regulations;
- (e) did not remove Defendant Driver from duties after Defendant Trucking knew or should have known that Defendant Driver was unfit for the job; and
- (f) did not provide supervision of Defendant Driver when necessary or reasonable to do so to ensure safety and compliance with applicable rules.
- 35. As direct and proximate result of one or more of the foregoing acts of negligence, the Tractor-trailer owned by Defendant Trucking did violently collide with the vehicle occupied by Plaintiff and as a result thereof, Plaintiff did suffer the following past, present, and future loss and damage:
 - (a) bodily injury;
 - (b) pain and suffering;
 - (c) mental suffering;
 - (d) medical expenses; and
 - (e) disability or loss of normal life.

WHEREFORE, Plaintiff prays for judgment against Defendant Trucking in an amount in excess of the minimum jurisdictional limit of this Court and costs.

WHEREFORE, Plaintiff prays the Court as follows:

1. That Plaintiff has and recovers of Defendants, jointly and severally, a sum in excess of the minimum jurisdictional limit of this Court in compensatory damages, plus interest

from the date this suit was instituted, costs and such other relief as the Court may deem just and proper; and

2. That Plaintiff has and recovers from Defendants, jointly and severally, punitive damages based upon the willful and wanton conduct of Defendant Driver.

This the 23/day of September, 2020.

RICCI LAW FIRM, P.A.

Meredith S. Hinton

Attorneys for Plaintiff N.C. State Bar No. 34224

PO Box 483

Greenville, NC 27835-0483

Tel.: (252) 752-7785 Fax.: (252) 752-1016